REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested.

Claims 2, 3, 10 and 11 have been canceled without prejudice. Claims 1 and 9 are amended above.

Attention is also directed to the attached Fourth Information Disclosure Statement (submitted re prior art cited in related copending application 09/876,414). The IDS fee for this stage of prosecution is also attached.

The specification was objected to for including a hyperlink in paragraph 2, page 8. Applicant has accordingly amended the specification to delete the hyperlink.

The rejection of claims 1-16 under 35 U.S.C. 102(e) as allegedly anticipated by Ballintine et al. (U.S. Patent 6,366,556) is respectfully traversed.

Applicant has amended independent claims 1 and 10 to clarify distinction over Ballintine '556. Amended claim 1 incorporates the limitations of canceled claims 2 and 3, while amended claim 9 incorporates the limitations of canceled claims 10 and 11.

Ballintine '556 describes methods for providing virtual rings in SONET networks. An unused byte in the SONET path overhead (POH) is used to provide a finer granularity of protection (abstract). For this purpose, either the Z3 or Z4 byte of the POH is used for

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addressing the nodes in a virtual ring (col. 7, lines 16-20). The specific use of the Z3 bits

in a multiframe structure is described by Ballintine as follows (col. 10, lines 50-59):

- Bits 1-4 specify requests (standard APS messages, per col. 10, lines 65-67).
- Bits 5-10 provide destination node addresses.
- Bits 11-16 provide source node addresses.
- Bit 17 indicates a short path request or a request.
- Bits 18-20 specify maintenance signals or states of the ring switching protocol.
- Bit 21 is reserved.
- Bits 22-24 are parity bits.

It can be seen that none of the Z3 bits are assigned to indicate specific network

segments.

Claim 1 recites a method of fault protection in a bidirectional ring network. A

general mask is constructed to indicate which of the segments in the network can be

reached in the event of a network fault. A specific mask is constructed for a given data

flow indicating the segments on a desired path of the flow through the network. Claim 1

has been amended to clarify that the general and specific masks in the context of the

present invention have the form of bitmaps, with a bit assigned to each network segment.

In other words, the general and specific masks recited in claim 1 are structured and

used completely differently from Ballintine's POH bits. Ballintine's bits are used for

node addressing and protocol requests, as shown above. Ballintine neither teaches nor

suggests using the POH bits (or any other bits) to specifically indicate certain segments in

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the network, as recited in claim 1. Therefore, amended claim 1 is believed to be patentable over the cited art.
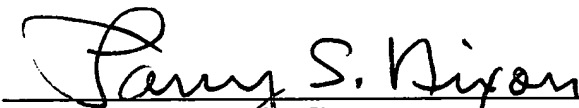
In view of the patentability of claim 1, dependent claims 4-8 are also believed to be patentable – because they add yet further patentable distinctions.

Claim 9 recites a communication device, which operates on similar principles to the method of claim 1. Claim 9 has been amended in like fashion to claim 1 and is therefore believed to be patentable for reasons such as those stated above. In view of the patentability of claim 9, claims 12-16 are also believed to be patentable – because they add yet further patentable distinctions.

Accordingly, this entire application is now believed to be in allowable form and a formal Notice to that effect is respectfully requested.

Respectfully submitted,

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